

Exhibit B-12

The Provisions Concerning the Real-Name Personal Savings Account System [Effective]

[【Print】](#)

个人存款账户实名制规定 [现行有效]

Issuing authority:	State Council	Date issued:	03-20-2000
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Area of Law:	Banking & Finance, Banking & Finance		

Order of the State Council of the People's Republic of China
No. 285
The Provisions Concerning the Real-Name Personal Savings Account
System is hereby promulgated and shall go into effect as of April 1,
2000.
Premier Zhu Rongji March 20, 2000

中华人民共和国国务院令
(第 2 8 5 号)

Provisions Concerning the Real-Name Personal Savings Account
System

(相关资料:部门规章48篇其他规范性文件
4篇地方法规3篇裁判文书17篇相关论
文9篇)
现发布《个人存款账户实名制规定》,
自 2 0 0 0 年 4 月 1 日起施行。
总理 朱镕基
2 0 0 0 年 3 月 2 0 日
个人存款账户实名制规定

Article 1 These provisions are made with the intent of ensuring the
truthfulness of personal savings accounts and protecting the lawful
rights and interests of depositors.

第一条 为了保证个人存款账户的
真实性,维护存款人的合法权益,制定
本规定。

Article 2 Financial institutions within the territory of the
People's Republic of China and individuals opening personal savings
accounts at financial institutions shall observe these provisions.

第二条 中华人民共和国境内的金
融机构和在金融机构开立个人存款账
户的个人,应当遵守本规定。

Article 3 The term "financial institution" as used in these provisions
refers to the financial institution handling personal savings, legally
established in China.

第三条 本规定所称金融机构,是
指在境内依法设立和经营个人存款业
务的机构。

Article 4 "Personal savings account" mentioned in these provisions
refers to the Renminbi or foreign currency deposit account opened by
an individual at financial institutions, including current accounts, term
accounts, current-or-term accounts, notice accounts and personal
savings accounts in any other form.

第四条 本规定所称个人存款账
户,是指个人在金融机构开立的人民
币、外币存款账户,包括活期存款账
户、定期存款账户、定活两便存款账
户、通知存款账户以及其他形式的个
人存款账户。

Article 5 "Real-name" as mentioned in these provisions refers to the
name used on the identity card which is in conformity with the
law, administrative regulations and relevant provisions of the State.
The following identity cards are real-name cards:

第五条 本规定所称实名,是指符
合法律、行政法规和国家有关规定的
身份证件上使用的姓名。
下列身份证件为实名证件:

- (1) resident identity cards or provisional resident identity cards for Chinese citizens who reside within the territory;
- (2) residence registration forms for Chinese citizens who reside within the territory and who are under the age of 16;
- (3) servicemen's identity cards for soldiers of the Chinese People's Liberation Army; armed policemen's identity cards for members of the Chinese Armed Police Force;
- (4) passes of journeys to and from China's Mainland for Hong Kong and Macao residents; passes of journeys to and from mainland or any other valid travel documents for Taiwan residents;
- (5) passports for foreign citizens.
- For those not provided for in the previous paragraph, it shall be dealt with according to relevant laws, administrative regulations and relevant provisions of the State.

Article 6 Individuals who open a personal savings account at a financial institution shall present their own identity cards and use real names.

Where a person acts as an agent of another person in opening a personal savings account at a financial institution, the agent shall present the identity cards of both the principal and the agent.

Article 7 Where a person opens a personal savings account at a financial institution, the financial institution shall request him to show his own identity card, make verifications and record the name and number of the identity card. Where a person acts as an agent of another person in opening a personal savings account at a financial institution, the financial institution shall request the agent to present the identity cards of both the principal and the agent, make verifications and record the names and numbers of the identity cards.

If a person refuses to present his own identity card or use the name on his own identity card, the financial institution shall not open a personal savings account for him.

Article 8 Financial institutions and their staff shall be responsible for keeping confidential the information of a personal savings account. Financial institutions shall not provide any unit or individual within formation of a personal savings account and shall have the right to reject any inquiry, freezing, deducting or transferring of the individual's money in the financial institutions by any unit or individual, unless it is otherwise provided for by law.

(一) 居住在境内的中国公民, 为居民身份证或者临时居民身份证;

(二) 居住在境内的 16 周岁以下的中国公民, 为户口簿;

(三) 中国人民解放军军人, 为军人身份证件; 中国人民武装警察, 为武装警察身份证件;

(四) 香港、澳门居民, 为港澳居民往来内地通行证; 台湾居民, 为台湾居民来往大陆通行证或者其他有效旅行证件;

(五) 外国公民, 为护照。

前款未作规定的, 依照有关法律、行政法规和国家有关规定执行。

(相关资料:裁判文书4篇)

第六条 个人在金融机构开立个人存款账户时, 应当出示本人身份证件, 使用实名。

代理他人在金融机构开立个人存款账户的, 代理人应当出示被代理人 and 代理人的身份证件。

(相关资料:裁判文书2篇相关论文1篇)

第七条 在金融机构开立个人存款账户的, 金融机构应当要求其出示本人身份证件, 进行核对, 并登记其身份证件上的姓名和号码。代理他人在金融机构开立个人存款账户的, 金融机构应当要求其出示被代理人 and 代理人的身份证件, 进行核对, 并登记被代理人 and 代理人的身份证件上的姓名和号码。

不出示本人身份证件或者不使用本人身份证件上的姓名的, 金融机构不得为其开立个人存款账户。

(相关资料:裁判文书7篇相关论文1篇)

第八条 金融机构及其工作人员负有为个人存款账户的情况保守秘密的责任。

金融机构不得向任何单位或者个人提供有关个人存款账户的情况, 并有权拒绝任何单位或者个人查询、冻结、扣划个人在金融机构的款项; 但是, 法律另有规定的除外。

Article 9 If a financial institution violates Article 7 of these provisions, the People's Bank of China shall give a warning and may impose a fine of not less than RMB 1,000 yuan but not more than RMB5,000 yuan; if the circumstances are serious, suspension of business for consolidation may concurrently be ordered and disciplinary measures shall be taken against the leading members who are directly in charge and other persons who are directly responsible. If a crime is constituted, criminal responsibility shall be pursued according to law.

Article 10 Personal savings accounts opened at financial institutions before the implementation of these provisions shall be handled according to the relevant provisions of the State before the implementation of these provisions; After implementation of these provisions, the person of an original account shall use his real name in accordance with these provisions in making his first deposit in the original account if the real name was not used.

Article 11 The People's Bank of China shall be responsible for the implementation of these provisions.

Article 12 These provisions shall go into effect as of April 1, 2000.

第九条 金融机构违反本规定第七条规定的，由中国人民银行给予警告，可以处1 0 0 0元以上5 0 0 0元以下的罚款；情节严重的，可以并处责令停业整顿，对直接负责的主管人员和其他直接责任人员依法给予纪律处分；构成犯罪的，依法追究刑事责任。

第十条 本规定施行前，已经在金融机构开立的个人存款账户，按照本规定施行前国家有关规定执行；本规定施行后，在原账户办理第一笔个人存款时，原账户没有使用实名的，应当依照本规定使用实名。

（相关资料:部门规章1篇裁判文书1篇）

第十一条 本规定由中国人民银行组织实施。

第十二条 本规定自2 0 0 0年4月1日起施行。

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